

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**CENTRAL MUTUAL INSURANCE
COMPANY**

Plaintiff,

v.

**ANTHONY PALACIOS and
ROY ROBERSON**
Defendant.

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CIVIL ACTION NO. 4:22-1388

AFFIDAVIT OF MATTHEW RIGNEY

STATE OF TEXAS §
 §
COUNTY OF DALLAS §

Matthew Rigney, being duly sworn, deposes and says:

1. My name is Matthew Rigney. I am over twenty-one years of age; I have never been convicted of a felony or crime involving moral turpitude; and I am fully competent to make this Affidavit. All of the facts contained herein are within my personal knowledge and are true and correct.

2. I am an attorney at the law offices of Tollefson, Bradley, Mitchell & Melendi LLP and represent Central Mutual Insurance Company in this matter.

3. The Anthony Palacios Central Mutual seeks to serve is a named defendant in the underlying lawsuit styled *Roy Roberson v. AV Warehousing & Crating LLC, et al*; Cause No. 8667927, pending in the 269th District Court, Harris County, Texas ("Underlying Lawsuit"). Ex. A-1.

4. On June 1, 2022, Central Mutual retained an independent process server, Alexandra Tedder, to serve process on Anthony Palacios at 5722 Hopper Road, Houston, Texas, 77016. The

Underlying Petition listed the Hopper Road address as his residence. Ex. A-1. The Anthony Palacios Central Mutual seeks to serve has been previously served at the address of 5722 Hopper Road, Houston, Texas, 77016, in connection with the Underlying Lawsuit. Ex. A-1.

5. On 6/3/2022, 6/7/2022, 6/10/2022, and twice on 6/15/2022, Ms. Tedder was unable to serve process on Mr. Palacios because there was no response by anyone at the address. Ex. A-3.

6. The Roy Roberson Central Mutual seeks to serve is the plaintiff in the Underlying Lawsuit. Exs. A-1; A-6.

7. On 6/3/2022, 6/7/2022, 6/10/2022, 6/13/2022, 6/17/2022, and 6/18/2022, Ms. Tedder was unable to serve process on Mr. Roberson because there was no cooperation from the apartment complex's leasing office. Ex. A-4.

8. Darryl Derryberry and James Edwards are listed as Mr. Roberson's attorneys in the Underlying Lawsuit. Ex. A-1; A-6.

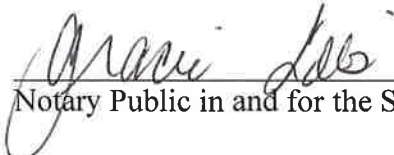
9. On June 23, 2022, my office sent correspondence to Mr. Derryberry and Mr. Edwards requesting that they waive service on behalf of their client, Mr. Roberson. Ex. A-5.

10. Mr. Derryberry and Mr. Edwards did not respond to this correspondence.

Further affiant sayeth not.


Matthew Rigney

SWORN TO AND SUBSCRIBED BEFORE ME this the 19th day of August 2022.


Notary Public in and for the State of Texas

